

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THOMAS R. DULSKI and JOAN DULSKI,

Plaintiffs

vs.

INTUITIVE SURGICAL, INC. and

RYAN SMITH,

Defendants.

**DEMAND FOR
JURY TRIAL**

1:10-cv-234

S I R S :

PLEASE TAKE NOTICE that, pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Defendant INTUITIVE SURGICAL, INC., by and through its attorneys, Goldberg Segalla LLP, hereby demands a jury trial in the above-entitled action with respect to all issues.

Dated: Buffalo, New York
March 25, 2010

Respectfully submitted,

GOLDBERG SEGALLA LLP

By: s/Joseph L. Mooney
Joseph L. Mooney
*Attorneys for Defendant Intuitive
Surgical, Inc.*
665 Main Street, Suite 400
Buffalo, New York 14203
(716) 566-5400
jmooney@goldbergsegalla.com

and

Michael D. Shalhoub, Esq.
*Attorneys for Defendant Intuitive
Surgical, Inc.*
Goldberg Segalla LLP
11 Martine Avenue, Suite 750
White Plains, New York 10606-1934
(914)798-5400
mshalhoub@goldbergsegalla.com

Certificate of Service

I hereby certify that a true and correct copy of Defendant's Demand for Jury Trial in the above-captioned matter was served upon the following non-CM/ECF participants on the 25th day of March, 2010, via regular mail, postage prepaid:

John M. Dempsey, Esq.
DEMPSEY & DEMPSEY
*Attorneys for Plaintiffs Thomas Dulski
and Joan Dulski*
561 Franklin Street
Buffalo, New York 14202
(716) 885-8645

s/Joseph L. Mooney, Esq.
Joseph L. Mooney , Esq.
GOLDBERG SEGALLA LLP
665 Main Street, Suite 400
Buffalo, New York 14203
(716) 566-5400
jmooney@goldbergsegalla.com